

AMENDED IN SENATE APRIL 8, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 581

Introduced by Senator Wyland

February 22, 2013

An act to amend ~~Section~~ *Sections 15280 and 15286* of the Education Code, relating to school bonds.

LEGISLATIVE COUNSEL'S DIGEST

SB 581, as amended, Wyland. School bonds: bond accountability.

The California Constitution limits the maximum amount of any ad valorem tax on real property to 1% of the full cash value of the property except for ad valorem taxes or assessments that pay the interest and redemption charges on bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, rehabilitation, or replacement of school facilities approved by 55% of the voters if the proposition includes specified accountability requirements, ~~including, but not limited to,~~. *These accountability requirements include* a requirement that the governing board of either the school district or community college district or county office of education conduct annual independent performance and financial audits. Existing law requires, by March 31 of each year, the annual, independent financial and performance audits for the preceding fiscal year to be submitted to a citizens' oversight committee that is required to be established if a proposition is approved by the voters, as described above. *Existing law requires, without expending bond funds, the governing board of the district to provide the citizens' oversight committee with any necessary technical assistance and administrative*

assistance and sufficient resources to publicize the conclusions of the citizens' oversight committee.

~~This bill would require the annual, independent financial and performance audits for the preceding fiscal year to be electronically filed by the auditor with the State Allocation Board. The bill would also require a copy of any draft of the required annual, independent financial and performance audits for the preceding fiscal year, and a copy of the audits themselves, to be submitted to the citizens' oversight committee at the same time they are submitted to the school district or community college district. The bill would also require the governing board of the district to provide the citizens' oversight committee with responses to any and all findings, recommendations, and concerns addressed in the annual, independent financial and performance audits within 3 months of receiving the audits.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15280 of the Education Code is amended
2 to read:

3 15280. (a) (1) The governing board of the district shall,
4 without expending bond funds, provide the citizens' oversight
5 committee with any necessary technical assistance and shall
6 provide administrative assistance in furtherance of its purpose and
7 sufficient resources to publicize the conclusions of the citizens'
8 oversight committee.

9 (2) *The governing board of the district shall provide the citizens'*
10 *oversight committee with responses to any and all findings,*
11 *recommendations, and concerns addressed in the annual,*
12 *independent financial and performance audits required by*
13 *subparagraphs (C) and (D) of paragraph (3) of subdivision (b) of*
14 *Section 1 of Article XIII A of the California Constitution within*
15 *three months of receiving the audits.*

16 (b) All citizens' oversight committee proceedings shall be open
17 to the public and notice to the public shall be provided in the same
18 manner as the proceedings of the governing board *of the district.*
19 The citizens' oversight committee shall issue regular reports on
20 the results of its activities. A report shall be issued at least once a
21 year. Minutes of the proceedings of the citizens' oversight

1 committee and all documents received and reports issued shall be
2 a matter of public record and be made available on an Internet
3 website maintained by the governing board *of the district*.

4 ~~SECTION 1.~~

5 *SEC. 2.* Section 15286 of the Education Code is amended to
6 read:

7 15286. (a) Consistent with the provisions contained in
8 subparagraphs (C) and (D) of paragraph (3) of subdivision (b) of
9 Section 1 of Article XIII A of the California Constitution, the
10 required annual, independent financial and performance audits for
11 the preceding fiscal year shall be submitted to the citizens'
12 oversight committee established pursuant to Section 15278 by
13 March 31 of each year. These audits shall be conducted in
14 accordance with the Government Auditing Standards issued by
15 the Comptroller General of the United States for financial and
16 performance audits.

17 ~~(b) A copy of the required annual, independent financial and~~
18 ~~performance audits for the preceding fiscal year shall be~~
19 ~~electronically filed by the auditor with the State Allocation Board.~~

20 (e)

21 (b) Both of the following shall be submitted to the citizens'
22 oversight committee at the same time they are submitted to the
23 school district or community college district:

24 (1) A copy of any draft of the required annual, independent
25 financial and performance audits for the preceding fiscal year.

26 (2) A copy of the required annual, independent financial and
27 performance audits for the preceding fiscal year.